

In re Application of:  
Schilling and Letscher  
Application No.: 09/928,191  
Filed: August 11, 2001  
Page 2

PATENT  
Attorney Docket No.: UCSD1680

**REMARKS**

The Office Communication mailed February 20, 2004, indicates the reply filed on December 5, 2003 was not fully responsive to the prior Office Action for failure to reply to the Species Election Requirement set forth in the Restriction Requirement mailed October 3, 2003.

Accordingly, Applicant elects, with traverse, Group I, consisting of Claims 1-15, drawn to a method of analyzing the production of one or more selected metabolites, classified in class 702, subclass 19. Applicant further elects, with traverse, the species encompassing the combination of organism and metabolite of a disease producing, pathogenic organism and a metabolite necessary for its survival. This species is recited in claim 8, and claims 1 to 9 read on the elected species.

No fee is believed due with the present Response. However, the Commissioner is hereby authorized to charge any additional fees, or make any credits, to Deposit Account No. 07-1896.

Respectfully submitted,

Date: November 17, 2004



Lisa A. Haile, J.D., Ph.D.  
Reg. No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
USPTO Customer Number 28213